

THE HONORABLE THOMAS S. ZILLY

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON

BUNGIE, INC., a Delaware corporation,

Plaintiff

v.

AIMJUNKIES.COM, a business of unknown
classification; PHOENIX DIGITAL GROUP
LLC, an Arizona limited liability company;
JEFFREY CONWAY, an individual; DAVID
SCHAEFER, an individual; JORDAN GREEN,
an individual; and JAMES MAY, an individual,

Defendants.

Cause No. 2:21-cv-0811 TSZ

**DECLARATION OF PHILIP P.
MANN IN SUPPORT OF
DEFENDANTS' OPPOSITION
TO BUNGIE'S MOTION FOR
SUMMARY JUDGEMENT**

**Note on Motion Calendar:
August 11, 2023**

Oral Argument Requested

I, Philip P. Mann, under penalty of perjury under the laws of the United States, state
and declare as follows:

1. I am counsel for all Defendants in the above captioned matter.
2. Attached as Exhibit A (filed under seal) is a true and correct copy of the transcript of the deposition of Dr. Edward Kaiser taken October 4, 2022.
3. Attached as Exhibit B (filed under seal) is a true and correct copy of the transcript of the Rule 30(b)(6) deposition of Bungie, Inc. taken October 5, 2022.
4. Attached as Exhibit C (filed under seal) is a true and correct copy of the Expert Report provided by Mr. Scott Kraemer in this action.

5. Attached as Exhibit D is a true and correct copy of excerpts from the deposition of David Schaefer taken by Plaintiff on October 28, 2022.
6. Attached as Exhibit E is a true and correct copy of excerpts from the deposition of James May taken by Plaintiff on October 25, 2022.
7. Attached as Exhibit F is a true and correct copy of excerpts from the deposition of Jordan Green taken by Plaintiff on October 12, 2022.
8. Attached as Exhibit G is a true and correct copy of the Expert Report of Mr. Steven Guris submitted on behalf of Bungie in connection with this action.
9. Attached as Exhibit H is a true and correct copy of an excerpt from the deposition of “Mr. Doe” taken by Defendants on May 9, 2023.
10. Attached as Exhibit I is a true and correct copy of “Exhibit 16” presented to “Mr. Doe” during his May 9, 2023 deposition.

Dated August 7, 2023.

/s/ Philip P. Mann
Philip P. Mann